



PLANNING COMMISSION AGENDA REPORT

MEETING DATE: JUNE 11, 2007

VI.3

ITEM NUMBER:

**SUBJECT: PLANNING APPLICATION PA-06-69
285 EAST 16TH STREET**

DATE: MAY 31, 2007

FOR FURTHER INFORMATION CONTACT: WENDY SHIH, ASSOCIATE PLANNER (714)754-5136

DESCRIPTION

The applicant is requesting approval of a design review to construct a two-unit, two-story condominium project that does not comply with the Residential Design Guidelines and a variance from parkway driveway landscaping requirements.

APPLICANT

Tim Johnson is the authorized agent for property owner Keith Scheinberg.

RECOMMENDATION

Approve by adoption of Planning Commission resolution, subject to conditions.


WENDY SHIH
Associate Planner


R. MICHAEL ROBINSON, AICP
Asst. Development Services Director

PLANNING APPLICATION SUMMARY

Location: 285 E. 16th Street Application: PA-06-69

Request: Design review to construct a two-unit, two-story condominium project that does not meet the Residential Design Guidelines and a variance from driveway parkway landscaping requirements.

SUBJECT PROPERTY:

Zone: R2-MD
 General Plan: Medium Density Residential
 Lot Dimensions: 53 ft. x 137.57 ft.
 Lot Area: 7,291 sq.ft.
 Existing Development: Single-family residence (to be demolished).

SURROUNDING PROPERTY:

North: R2- HD
 South: Surrounding properties are
 East: all R2-MD residentially
 West: zoned and developed.

DEVELOPMENT STANDARD COMPARISON

Development Standard		Required/Allowed		Proposed/Provided	
Lot Size:					
Lot Width		100 ft.		53 ft. ¹	
Lot Area		12,000 sq. ft.		7,291 sq.ft. ¹	
Density:					
Zone/General Plan		1 du/3,630 sq.ft.		1 du/3,645 sq.ft.	
Building Coverage:					
Buildings		N/A		32% (2,337 sq.ft.)	
Paving		N/A		28% (2,012 sq.ft.)	
Open Space		Minimum 40% (2,916 sq. ft.)		40% (2,942 sq.ft.)	
TOTAL		100%		100%	
Private Open Space:		Minimum 10 ft. dimension		Minimum 10 ft. dimension	
Building Height:		2 stories/27 ft.		2 stories/27 ft.	
Ratio of 2 nd floor to 1 st floor ² :		<u>Front Unit</u> 80% (1,053 sq.ft.)	<u>Rear Unit</u> 80% (817 sq.ft.)	<u>Front Unit</u> 105% (1,385 sq.ft.)	<u>Rear Unit</u> 112% (1,141 sq.ft.)
Setbacks:					
Front		20 ft.		20 ft.	
1 st Floor Side (left/right)		5 ft./5 ft.		<u>Front Unit</u> 5 ft./13 ft.	<u>Rear Unit</u> 5 ft./5 ft.
2 nd Floor Side ² (left/right)		10 ft. average		<u>Front Unit</u> 6.5 ft. avg./17 ft.	<u>Rear Unit</u> 5 ft./5 ft.
Rear (1 st floor/2 nd floor)		10 ft./20 ft.		20 ft./20 ft.	
Parking:					
Covered		4		4	
Open		4		4	
TOTAL		8 Spaces		8 spaces	
Parkway Landscaping		Minimum 10 ft. combined width		3 ft. – 7 ft. combined width ³	
CEQA Status		Exempt, Class 3			
Final Action		Planning Commission			

- 1 Existing, nonconforming.
 2 Residential design guidelines.
 3 Variance requested.

PROJECT DESCRIPTION

The subject property is located near the southwest corner of Santa Ana Avenue and East 16th Street. It is surrounded by residentially zoned and developed properties. The applicant proposes to demolish the existing structure and construct two, two-story condominium units on the lot.

A parcel map to facilitate the condominium project is currently being processed and will be scheduled for Planning Commission hearing at a later date. The map will be required to be recorded before construction of the units can begin.

ANALYSIS

DESIGN REVIEW

New residential common interest development projects (condominiums) are subject to a design review, which requires Planning Commission consideration. This allows review of the structures' scale, site planning, landscaping, appearance, and any other applicable features relative to a compatible and attractive development.

To minimize second story mass, the City's residential design guidelines recommend that the second floor not exceed 80% of the first floor area and the second story be set back an average of 10 feet from the side property lines. The proposed second floor to first floor ratios are 105% for the front unit and 112% for the rear unit. The second floor side elevations provide 5-foot side setbacks with exception of the right elevation on the front unit (17 feet proposed). However, it is staff's opinion that the buildings incorporate variation in depth of floor plans, rooflines, multiple building planes, and offsets to provide architectural interest and visual relief from off-site.

Staff has conducted a field inspection and is of the opinion that the proposed development would not negatively impact the surrounding properties or aesthetics of the neighborhood. There are several 2-story residences in the area so it would not appear out of place or obtrusive. The second floor windows are also designed so as to minimize privacy impacts and direct views into windows on the adjacent properties. The applicant has agreed to a condition requiring raising the second floor "bedroom 3" windows for the front unit and the two master bedroom windows for the rear unit to eliminate view impacts on the adjacent property to the west.

DRIVEWAY PARKWAY LANDSCAPING VARIANCE

A variance is required for driveway parkway landscaping (10 feet combined width required; 3 to 7 feet proposed) to accommodate the project. It is staff's opinion that special circumstances applicable to the property exist to justify approval of the variance. Specifically, the lot is nonconforming with regards to lot width (100 feet required; 53 feet existing).

The original intent of the driveway landscaping requirement was to provide visual relief for driveways serving multiple-family or common interest developments, where

driveways are often longer (e.g. 300 feet deep lots). The shorter depth of this lot (137 feet), and the resultant shorter length of the driveway (97 feet), reduces the visual impact the driveway will have. The applicant proposes a 3-foot landscape strip along the western property line and a 2-foot and 4-foot landscape strip on the house side. Staff is also recommending a condition requiring extension of the landscape finger and decorative paving for driveways within the 20-foot deep front setback to further break up the driveway paving. In staff's opinion, this will soften the appearance of the driveway, consistent with the intent of the Zoning Code.

GENERAL PLAN CONFORMITY

The property has a General Plan designation of Medium Density Residential. Under this designation two dwelling units are allowed on the subject property. Therefore, the proposal is consistent with the use and density allowed by the City's General Plan. Approval of the condominiums will also satisfy General Plan Goal LU-1A.4 that encourages additional home ownership opportunities in the City.

ALTERNATIVES

If the planning application is approved, it would allow the construction of the project as proposed.

If the application is denied, the property could not be built as proposed. The applicant could not submit substantially the same type of project for six months.

ENVIRONMENTAL DETERMINATION

The project is exempt from the provisions of the California Environmental Quality Act under Section 15303 for New Construction.

CONCLUSION

The proposed development, as conditioned, satisfies all applicable Code requirements and the intent of the residential design guidelines. The nonconforming lot width provides justification for the driveway parkway landscaping variance and some landscaping and decorative paving will be installed to provide visual relief from off-site. Approval of the project will allow redevelopment of the lot and provide additional home ownership opportunities in the City.

Attachments: Draft Planning Commission Resolution
 Exhibit "A" - Draft Findings
 Exhibit "B" - Draft Conditions of Approval
 Zoning/Location Map
 Plans

cc: Deputy City Mgr.-Dev. Svs. Director
Deputy City Attorney
City Engineer
Fire Protection Analyst
Staff (4)
File (2)

Tim Johnson
TJ Design Solutions
5215 River, Ste. A
Newport Beach, CA 92663

Keith Scheinberg
1582 Monrovia Ave.
Newport Beach, CA 92663

File: 061107PA0669	Date: 52407	Time: 8:30 a.m.
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RESOLUTION NO. PC-07-

**A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF COSTA MESA APPROVING PLANNING
APPLICATION PA-06-69**

THE PLANNING COMMISSION OF THE CITY OF COSTA MESA HEREBY
RESOLVES AS FOLLOWS:

WHEREAS, an application was filed by Tim Johnson, authorized agent for property owner Keith Scheinberg, with respect to the real property located at 285 East 16th Street, requesting approval of a design review to construct two, two-story condominium units with a variance from driveway parkway landscaping, in the R2-MD zone; and

WHEREAS, a duly noticed public hearing was held by the Planning Commission on June 11, 2007.

BE IT RESOLVED that, based on the evidence in the record and the findings contained in Exhibit "A", and subject to the conditions contained in Exhibit "B", the Planning Commission hereby **APPROVES** Planning Application PA-06-69 with respect to the property described above.

BE IT FURTHER RESOLVED that the Costa Mesa Planning Commission does hereby find and determine that adoption of this Resolution is expressly predicated upon the activity as described in the staff report for Planning Application PA-06-69 and upon applicant's compliance with each and all of the conditions contained in Exhibit "B". Any approval granted by this resolution shall be subject to review, modification or revocation if there is a material change that occurs in the operation, or if the applicant fails to comply with any of the conditions of approval.

PASSED AND ADOPTED this 11th day of June 2007.

Donn Hall, Chair
Costa Mesa Planning Commission

STATE OF CALIFORNIA)
)ss
COUNTY OF ORANGE)

I, R Michael Robinson, secretary to the Planning Commission of the City of Costa Mesa, do hereby certify that the foregoing Resolution was passed and adopted at a meeting of the City of Costa Mesa Planning Commission held on June 11, 2007, by the following votes:

AYES: COMMISSIONERS

NOES: COMMISSIONERS

ABSENT: COMMISSIONERS

ABSTAIN: COMMISSIONERS

Secretary, Costa Mesa
Planning Commission

EXHIBIT "A"**FINDINGS**

- A. The proposed project complies with Costa Mesa Municipal Code Section 13-29 (e) because:
- a. The proposed development and use is compatible and harmonious with uses both on site as well as those on surrounding properties.
 - b. Safety and compatibility of the design of the building and other site features, including functional aspects of the site development, have been considered.
 - c. The project is consistent with the General Plan designation of Medium Density Residential. Under this designation two dwelling units are allowed on the subject property and two dwelling units are proposed. Approval of the condominiums will also satisfy General Plan Goal LU-1A.4 that encourages additional home ownership opportunities in the City.
 - d. The planning application is for a project-specific case and does not establish a precedent for future development.
- B. The information presented substantially complies with section 13-29(g)(1) of the Costa Mesa Municipal Code in that special circumstances applicable to the property exist to justify granting of the variance from driveway parkway landscaping requirements. Specifically, the lot is nonconforming with regards to lot width. The original intent of the driveway landscaping was to provide visual relief for driveways serving multiple-family and common-interest developments where driveways are often longer. The shorter depth of this lot will not create a negative visual impact. Additionally, decorative paving and landscaping will be provided to soften the appearance of the driveway. The deviation granted is the minimum necessary to accommodate the proposed development and does not constitute a grant of special privileges inconsistent with the limitation upon other properties in the vicinity and zone in which the property is located.
- C. The information presented substantially complies with Costa Mesa Municipal Code Section 13-29(14) in that the proposed development, as conditioned, is substantially compatible and harmonious with existing and/or anticipated development on surrounding properties. This includes site planning, landscaping, appearances, scale of structures, location of windows, and any other applicable features relative to a compatible and attractive development. Specifically, the project is consistent with the City's General Plan and Zoning Code, and the City's Residential Design Guidelines. The project is of a character and scale compatible with the neighborhood. The buildings incorporate multiple building planes and offsets, and elevations with stepping forms both horizontally and vertically to provide architectural interest. The second story windows are also placed so as to minimize privacy impacts and direct views into windows of adjacent residences. Approval of the condominium units will also provide additional home ownership opportunities in the City.
- D. The project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines, and the City's environmental procedures, and has been found to be exempt from CEQA under Section 15303 for New Construction.

- E. The project is exempt from Chapter XII, Article 3, Transportation System Management, of Title 13 of the Costa Mesa Municipal Code.

EXHIBIT "B"**CONDITIONS OF APPROVAL**

- Plng.
1. The approved address of individual units (A and B) shall be blueprinted on the site plan and on all floor plans in the working drawings as part of the plan check submittal package.
 2. Raise the following west elevation windows: second floor "bedroom 3" window for the front unit and the two master bedroom windows for the rear unit to a minimum 5 ft. above finished floor.
 3. Extend the landscape finger in front of the garage towards the front property line, under the direction of Transportation Services and Planning Divisions.
 4. Provide decorative paving in the 20-foot deep front setback area. Plans submitted for plan check shall show detailed colors and materials to be used. This condition shall be completed under the direction of the Planning Division.
 5. Prior to issuance of building permits, applicant shall contact the US Postal Service with regard to location and design of mail delivery facilities. Such facilities shall be shown on the site plan, landscape plan, and/or floor plan.
 6. The subject property's ultimate finished grade level may not be filled/raised in excess of 30" above the finished grade of any abutting property. If additional fill dirt is needed to provide acceptable onsite stormwater flow to a public street, an alternative means of accommodating that drainage shall be approved by the City's Building Official prior to issuance of any grading or building permits. Such alternatives may include subsurface tie-in to public stormwater facilities, subsurface drainage collection systems and/or sumps with mechanical pump discharge in-lieu of gravity flow. If mechanical pump method is determined appropriate, said mechanical pump(s) shall continuously be maintained in working order. In any case, development of subject property shall preserve or improve the existing pattern of drainage on abutting properties.
 7. Demolition permits for existing structures shall be obtained and all work and inspections completed prior to final building inspections. Applicant is notified that written notice to the Air Quality Management District may be required ten (10) days prior to demolition.
 8. The site plan submitted with initial working drawings shall contain a notation specifying the project is a 2-unit, common interest (condominium) development.
 9. The applicant shall contact the current cable company prior to issuance of building permits to arrange for pre-wiring for future cable communication service.
 10. Show method of screening for all ground-mounted equipment (backflow prevention devices, Fire Department connections, electrical transformers, etc.). Ground-mounted equipment shall not be located in any landscaped setback visible from the street, except when required by applicable uniform codes, and shall be screened from view, under the direction of Planning staff.
 11. Homeowners Association CC&Rs shall include a requirement that residents park in garages.

12. The CC&Rs shall include a provision mandating binding arbitration in the event of any dispute between the two property owners relating to the homeowner's association.
13. Applicant shall provide proof of establishment of a homeowner's association prior to release of any utilities.
14. The conditions of approval, code requirements, and special district requirements of Planning Application PA-06-69 shall be blueprinted on the face of the site plan as part of the plan check submittal package.
15. The applicant shall contact the Planning Division to arrange for an inspection of the site prior to the release of utilities. This inspection is to confirm that the conditions of approval and code requirements have been satisfied.
16. Grading, materials delivery, equipment operation, and other construction-related activity shall be limited to between the hours of 7 a.m. and 8 p.m., Monday through Friday, and 8 a.m. to 6 p.m. Saturday. Construction is prohibited on Sundays and federal holidays. Exceptions may be made for activities that will not generate noise audible from off-site, such as painting and other quiet interior work.
17. No modification(s) of the approved building elevations including, but not limited to, changes that increase the building height, additional second story windows, removal of building articulation, or a change of the finish material(s), shall be made during construction without prior Planning Division written approval. Failure to obtain prior Planning Division approval of the modification could result in the requirement of the applicant to (re)process the modification through a discretionary review process such as a design review or a variance, or in the requirement to modify the construction to reflect the approved plans.
18. The project is subject to compliance with all applicable federal, state, and local laws. A copy of the applicable Costa Mesa Municipal Code requirements has been forwarded to the Applicant and, where applicable, the Authorized Agent, for reference.
19. Maintain the public right-of-way in a "wet-down" condition to prevent excessive dust and promptly remove any spillage from the public right-of-way by sweeping or sprinkling.

Eng.

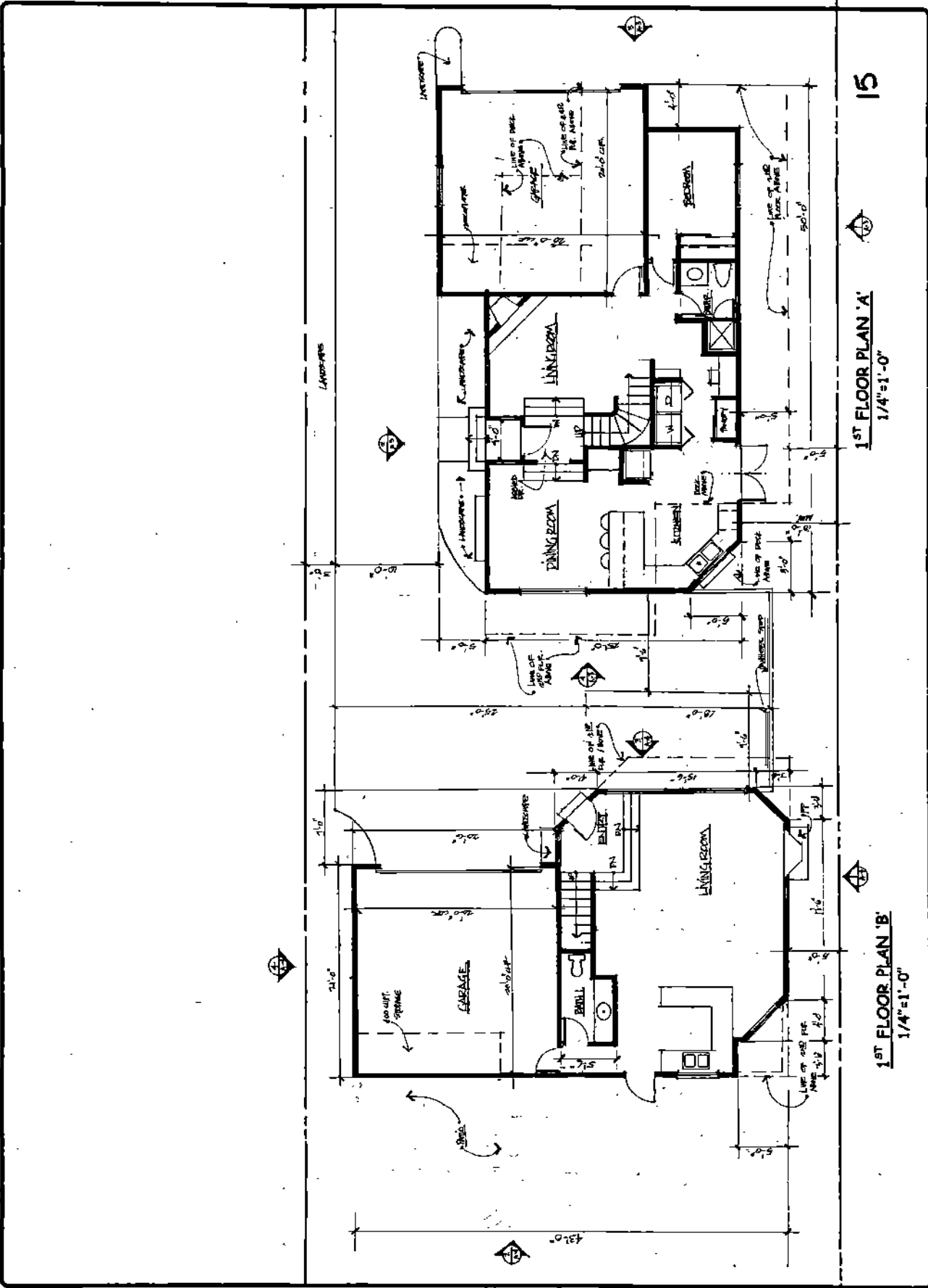


DATE	DESCRIPTION

Maximilian Group Development
 285 16th Street
 Costa Mesa, CA 92627
 Keith Schenckelberg ph. 949-289-7467

TJ Design Solutions
 5215 River
 Suite 'A'
 Newport Beach, CA 92663
 949-515-0713 ph / fax tjdesign@tjdesign.com

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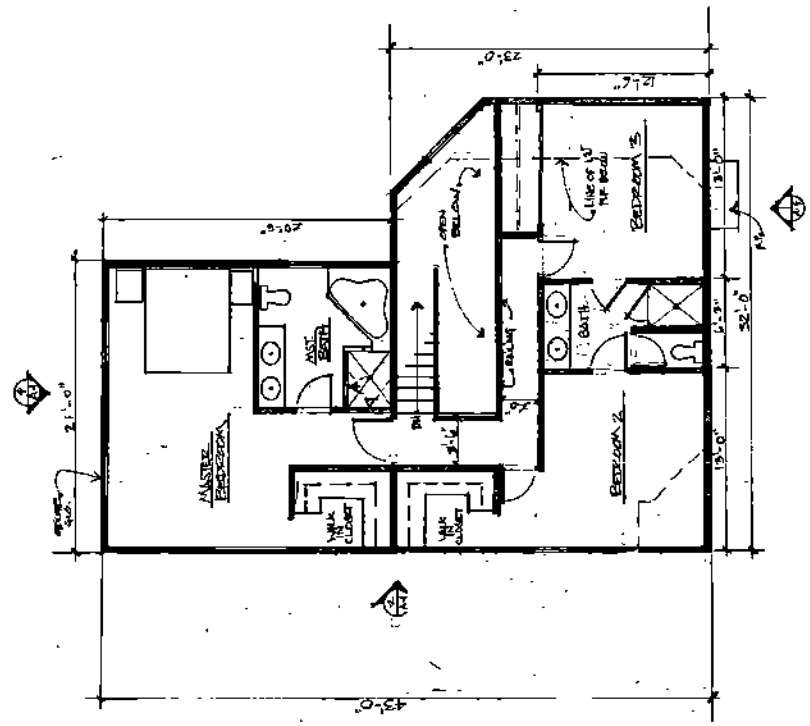


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Maxmillian Group Development
285 16th Street
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Keith Schenberger at. 949-285-7457

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5215 River
Suite A

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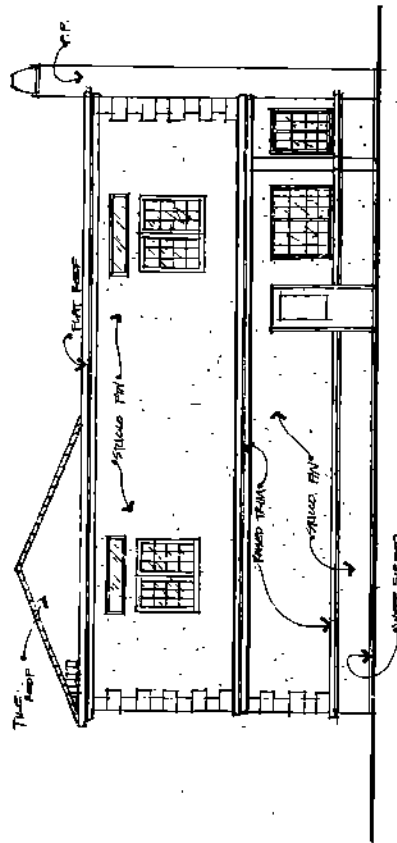
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Maximillian Group Development
 285 16th Street
 Costa Mesa, CA 92627
 Ken Schaubert jk. 949-289-7457

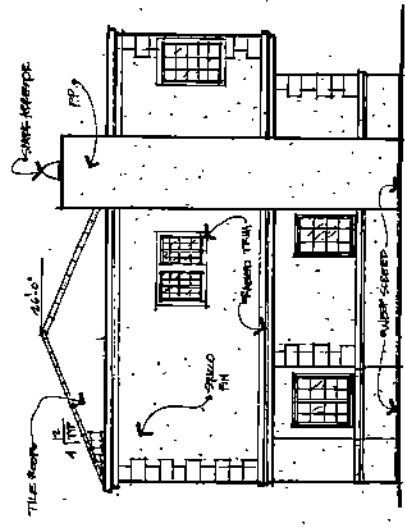
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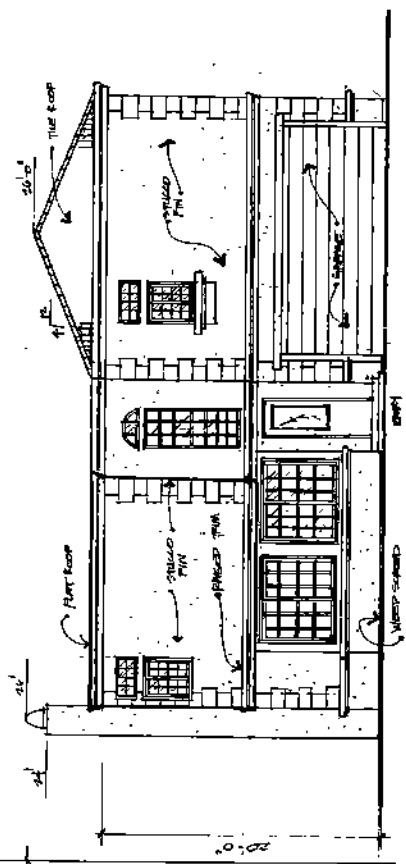
Elevation
 North 8'-11.0"



Elevation
 Left Side 8'-11.0"



Elevation
 Front 8'-11.0"



Elevation
 Right Side 8'-11.0"

